

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1                   1. (Currently amended): A method for determining the presence of a microbial  
2   organism of interest in a sample from another organism or organisms ~~to be distinguished~~, said  
3   method comprising:  
4                   treating the sample, or a portion thereof, with at least one detectable molecular  
5   probe wherein the molecular probe or probes are peptide nucleic acid and are selected  
6   such that either:  
7                   (i)   a target sequence of both the microbial organism of interest and the other  
8                        organism or organisms reacts with the molecular probe in a way that  
9                        produces detectable microbial organisms of interest and a detectable other  
10                      organism or organisms ~~to be distinguished~~; or  
11                   (ii)   a target sequence of only the microbial organism of interest reacts with the  
12                        molecular probe in a way that produces only detectable organisms of  
13                        interest; and  
14                   contacting the sample, or a portion thereof, with a solid carrier to which has been  
15   immobilized an antibody such that if (i) applies then the antibody is chosen to be reactive  
16   only with the detectable microbial organism of interest but not reactive with the  
17   detectable other organism or organisms ~~to be distinguished~~; but if (ii) applies then the  
18   antibody is chosen to be generally reactive with the detectable microbial organism of  
19   interest but also may be reactive with the other organism or organisms ~~to be~~  
20   distinguished; and  
21                   determining the presence or number of detectable microbial organisms immobilized  
22   to the solid carrier.

2-3. (Canceled)

1                   4. (Original): The method of claim 1, wherein the detectable molecular probe is  
2 not labeled with a detectable moiety.

1                   5. (Previously presented): The method of claim 4, wherein the detectable  
2 molecular probe is detected using a detectable antibody that specifically binds to a complex of  
3 the detectable molecular probe and the target sequence of the microbial organism of interest.

1                   6. (Canceled)

1                   7. (Original): The method of claim 1, wherein the detectable molecular probe is  
2 labeled with a detectable moiety.

1                   8. (Original): The method of claim 7, wherein the detectable moiety is selected  
2 from the group consisting of: a chromophore, a fluorochrome, a spin label, a radioisotope, an  
3 enzyme, a hapten and a chemiluminescent compound.

9-10. (Canceled)

1                   11. (Previously presented): The method of claim 1, wherein the solid carrier is  
2 selected from the group consisting of: a particle, a bead, a microscope slide, a micro titre plate  
3 and a membrane.

12-14. (Canceled)

1                   15. (Original): The method of claim 1, wherein the sample, or portion thereof, is  
2 treated with the detectable molecular probe or probes before being contacted with the solid  
3 carrier.

1                   16. (Original): The method of claim 1, wherein the sample, or portion thereof, is  
2 contacted with the solid carrier before being treated with the detectable molecular probe or  
3 probes.

1                   17. (Original): The method of claim 1, wherein the sample, or portion thereof, is  
2 simultaneously contacted with both the solid carrier and treated with the detectable molecular  
3 probe or probes.

1                   18. (Currently amended): A method for ~~sorting and determining the presence,~~  
2 absence or number of a microbial organism or microbial organisms of interest in a sample or  
3 samples; said method comprising:

4                   treating the sample or samples, or a portion thereof, with one or more detectable or  
5 independently detectable molecular probes wherein the one or more molecular probes are  
6 peptide nucleic acid and are selected such that either:

7                   (i) the detectable probe or probes react with a target sequence of the different  
8 microbial organisms to be determined in a way that produces different  
9 detectable microbial organisms that possess the same stain; or

10                  (ii) the independently detectable probes react with a target sequence of the  
11 different microbial organisms to be determined in a way that produces  
12 different independently detectable microbial organisms that possess an  
13 independently detectable stain; and

14                  contacting the sample or samples, or a portion thereof, with one or more different  
15 types of coded beaded supports, wherein each different type of coded beaded support can  
16 be independently determined in a suitable particle sorter and wherein to the coded beaded  
17 supports have been immobilized one or more antibodies chosen to select a particular  
18 microbial organism or organisms such that the detectable or independently detectable  
19 microbial organisms become selectively bound to the coded beaded supports as a result  
20 of the occurrence of specific antibody interactions;

21                  sorting the different types of coded beaded supports in the particle sorter; and

22 determining the presence, absence, or number of detectable microbial organisms, or  
23 each of the independently detectable microbial organisms, immobilized to each different  
24 type of coded beaded support and either: (iii) correlating the result with the particular  
25 antibody immobilized to each type of coded bead to thereby determine the presence,  
26 absence or number of each of the different microbial organisms of interest in the sample,  
27 or portion thereof; or (iv) correlating the result with the code for a sample source from  
28 which the sample, or portion thereof, was derived to thereby determine the presence,  
29 absence or number of each of the microbial different organisms of interest in each  
30 different sample, or portion thereof.

19-20. (Canceled)

1 21. (Original): The method of claim 18, wherein the detectable molecular probe  
2 is not labeled with a detectable moiety.

1 22. (Previously presented): The method of claim 21, wherein the detectable  
2 molecular probe is detected using an detectable antibody that specifically binds to a complex of  
3 the detectable molecular probe and the target sequence of the microbial organism of interest.

1 23. (Canceled)

1 24. (Original): The method of claim 18, wherein the detectable molecular probe  
2 is labeled with a detectable moiety.

1 25. (Original): The method of claim 24, wherein the detectable moiety is  
2 selected from the group consisting of: a chromophore, a fluorochrome, a spin label, a  
3 radioisotope, an enzyme, a hapten and a chemiluminescent compound.

1 26. (Original): The method of claim 18, wherein the independently detectable  
2 probes are labeled with independently detectable fluorophores.

27-28. (Canceled)

1                   29. (Previously presented): The method of claim 18, wherein the sample, or  
2                   portion thereof, is treated with the detectable or independently detectable molecular probe or  
3                   probes before being contacted with the one or more different types of coded beaded supports.

1                   30. (Previously presented): The method of claim 18, wherein the sample, or  
2                   portion thereof, is contacted with the one or more different types of coded beaded supports  
3                   before being treated with the detectable or independently detectable molecular probe or probes.

1                   31. (Previously presented): The method of claim 18, wherein the sample, or  
2                   portion thereof, is simultaneously contacted with both the one or more different types of coded  
3                   beaded supports and treated with the detectable or independently detectable molecular probe or  
4                   probes.

32-34. (Canceled)

1                   35. (Currently amended): A method for ~~sorting and~~ determining the presence,  
2                   absence or number of different microbial organisms of interest in a sample; said method  
3                   comprising:

4                   treating the sample, or a portion thereof, with one or more detectable or  
5                   independently detectable molecular probes wherein the one or more molecular probes are  
6                   peptide nucleic acid and are selected such that either:

7                   (i) the detectable probe or probes react with a target sequence of the different  
8                   microbial organisms to be determined in a way that produces different  
9                   detectable microbial organisms that possess a the same stain; or

10                  (ii) the independently detectable probes react with a target sequence of the  
11                  different microbial organisms to be determined in a way that produces  
12                  different independently detectable microbial organisms that possess an  
13                  independently detectable stain; and

14                  contacting the sample, or a portion thereof, with a solid carrier array to which  
15                  antibodies have been immobilized at unique identifiable locations such that the different

16 detectable microbial organisms or the different independently detectable microbial  
17 organisms are selectively bound to the locations on the array as a result of the occurrence  
18 of specific antibody interactions; and  
19 determining the presence, absence or number of the detectable or independently  
20 detectable microbial organisms immobilized at the many different locations of the array  
21 and correlating the result with the particular antibody immobilized to each location on the  
22 array to thereby determine the presence, absence or number of the different microbial  
23 organisms of interest in the sample.

36-37. (Canceled)

1 38. (Original): The method of claim 35, wherein the detectable molecular probe  
2 is not labeled with a detectable moiety.

1 39. (Currently amended): The method of claim 38, wherein the detectable  
2 molecular probe is detected using a detectable antibody that specifically binds to a complex of  
3 the detectable molecular ~~probe~~ probe and the target sequence of the microbial organism of  
4 interest.

1 40. (Canceled)

1 41. (Original): The method of claim 35, wherein the detectable molecular probe  
2 is labeled with a detectable moiety.

1 42. (Original): The method of claim 41, wherein the detectable moiety is  
2 selected from the group consisting of: a chromophore, a fluorochrome, a spin label, a  
3 radioisotope, an enzyme, a hapten and a chemiluminescent compound.

1 43. (Original): The method of claim 35, wherein the independently detectable  
2 probes are labeled with independently detectable fluorophores.

44-45. (Canceled)

1                   46. (Original): The method of claim 35, wherein the sample is treated with the  
2 detectable or independently detectable molecular probe or probes before being contacted with the  
3 solid carrier.

1                   47. (Original): The method of claim 35, wherein the sample is contacted with the  
2 solid carrier before being treated with the detectable or independently detectable molecular probe  
3 or probes.

1                   48. (Original): The method of claim 35, wherein the sample is simultaneously  
2 contacted with both the solid carrier and treating with the detectable or independently detectable  
3 molecular probe or probes.

49-59. (Canceled)